UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,910	11/09/2001	Weiping Li	WCT-7303	2887

7590 11/12/2004	EXAMINER
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ART UNIT	PAPER NUMBER
2613	

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DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-20_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

1.   Claims 1-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan PN 6522694 in

view of Tahara 6560282.

Claim 1, 19: For use in conjunction with a video encoding/decoding technique wherein images

are encoded into frame-representative bitstreams that include start codes and variable

length codes and at least some of said bitstreams are truncated for streaming, ultimately,

to a decoder for decoding; a method comprising the steps of:

selecting an end code having a value that is different than any start code and any

variable length code of said bitstreams; and appending said end code to said bitstreams.

(The MPEG standard requires an end code for all video bitstream transmissions. See

Ryan column 9 lies 3-4 showing his end code appended to his bitstream. Furthermore at

the time the invention was made it was well known that the end code must be different

from the start code or any other code in the sequence, otherwise the decoder would

misinterpret video data as an end code, see Tahara column 42 lines 41-55 teaching that

the sequence strings are compared to a predetermined end code, thus it must be unique.

Therefore it would have been obvious for one of ordinary skill in the art to select a unique

code to use as an end code motivated by the fact that the end code must be different

from start codes or other variable length code so that false ends do not occur.)

Claim 2, 20: The method as defined by claim 1, further comprising decoding the streamed

encoded bit streams. (See Ryan figure 3 showing the decoder.)

Claim 3: The method as defined by claim 2, wherein said decoding of the bitstream includes

interpreting said end code, or a portion thereof, as an invalid symbol that cannot be

decoded. (It was well known in the art at the time the invention was made that end codes

when encountered were not data to be decoded. End codes are simply an indicator that

the end of the sequence to be decoded has been reached. Therefore it would have been

obvious to interpret them as invalid symbols that cannot be decoded.) Official notice

served.)

Claim 4. The method as defined by claim 3, wherein said decoding of the bitstream includes

initiating a process of looking for the next start code after an invalid symbol has occurred.

(See Ryan column 5 lines 35-43 implying that a start code is looked for after said end

code is detected.)

Claims 5-8: The method as defined by claim s 1-4, wherein said end code is a string of zeros.

Claims 9-12: The method as defined by claim 1-4, wherein said start code is a string of zeros

followed by a one, and said end code is another string of zeros longer than the string of

zeros of said start code.

(As for claims 5-12, See Ryan column 8 lines 9-11 wherein he teaches that his start codes and

end codes have the same general format. He also teaches in column 7 lines 52-58 that

all start codes begin with a string of 23 zeros followed by a single one valued bit.

Therefore it would have been obvious to select an end code the comprises a longer string

of zero's than that of the start code to differentiate it from the start code and avoid

misinterpreting it as anything other than an end code.)

Claims 13-15. The method as defined by claim 2, wherein said decoding is performed without

looking for a specific end code symbol. (Ryan makes no mention of looking for a specific

end code while decoding. Furthermore as noted above end codes are not decoded they

are simply indicators of the end of a stream.

Claims 16-18. The method as defined by claim 1, wherein said truncated bitstreams are MPEG-4

fine granularity scaling codes. (MPEG 4 streams contain start and end codes. It would

have been obvious to append end codes to MPEG 4 streams as well as any other MPEG

compliant stream.) Official notice served.

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Charles E Parsons whose telephone number is 703-305-3862. The examiner can normally

be reached on M-TH 7AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this

application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC)

at 866-217-9197 (toll-free).

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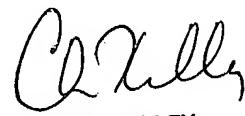
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